

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Pamela Griffin, et al.

Application No./Patent No.: 09/770,653

Filed/Issue Date: January 29, 2001

Entitled: Method and Apparatus for the Early Diagnosis of Subacute, Potentially Catastrophic Illness

University of Virginia Patent Foundation, a Corporation

(Name of Assignee)

(Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventors To: University of Virginia
The document was recorded in the United States Patent and Trademark Office at Reel 012071, Frame 0773, or for which a copy thereof is attached.
2. From: University of Virginia To: University of Virginia Patent Foundation
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

June 13 2002
Date

Robert J. Decker

Typed or printed name

Robert J. Decker
Signature

In-House Patent Counsel

Title

PATENTS ONLY

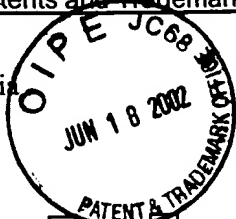
Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

University of Virginia



Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: University of Virginia Patent Foundation

Internal Address: _____

3. Nature of conveyance:

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☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Street Address: 1224 West Main Street, Suite 1-110

City: Charlottesville State: VA ZIP: 22903

Execution Date: May 29, 2002

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

09/770,653 filed January 29, 2001

Additional numbers attached?

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert J. Decker

Internal Address: _____

Street Address: 1224 West Main Street, Suites 1-110

City: Charlottesville State: VA ZIP: 22903

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

50-0423

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Robert J. Decker
Name of Person Signing

Robert J. Decker
Signature

May 31, 2002
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

ASSIGNMENT

WHEREAS, the **University of Virginia** 314 Madison Hall, P.O. Box 400301, Charlottesville, Virginia 22904-4301 (the "Assignor") possesses the right, title and interest for and in an invention entitled

METHOD FOR THE EARLY DIAGNOSIS OF SUBACUTE, POTENTIALLY CATASTROPHIC ILLNESS

described in U.S. Patent Application Serial No. 09/770,653, filed January 29, 2001; and

WHEREAS, the **University of Virginia Patent Foundation**, a non-profit organization having a place of business at 1224 West Main Street, Suite 1-110, Charlottesville, Virginia 22903 (the "Assignee") is desirous of acquiring the entire right, title and interest in and to the aforesaid invention, including any tangible materials embodied in or encompassed by the invention and any trade secrets pertaining to the invention, and any improvements thereon, (the "Invention") and in and to said applications for Letters Patent thereon in the United States, its territories and possessions ("United States") and all foreign countries, including rights to claim priority, to any provisional applications, and in and to any Letters Patent of the United States or any foreign country which may be granted therefor, including any and all reissues, divisions, continuations, continuations-in-part, renewals, substitutes or extensions thereof (the "Rights");

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor has sold, assigned, transferred and conveyed, and does hereby sell, assign, transfer and convey to Assignee, its successors and assigns, the entire right, title and interest in and to the aforesaid Invention and Rights, except that Assignee hereby grants back to the Assignor a royalty free non-transferrable license to make and use the Invention under the Rights for educational and research purposes, only. The aforesaid assignment includes the right in and to all income, royalties, damages and payments now or hereafter due or payable with respect to any Letters Patent which may be granted, and in and to all causes of action (either in law or in equity), and the right to sue, counterclaim, and recover for past, present and future infringement of the rights assigned or to be assigned under this Assignment, as fully and entirely as the same would have been held and enjoyed by Assignor if this sale and assignment had not been made;

AND Assignor hereby authorizes and requests the appropriate governmental officials to issue any and all such United States or foreign Letters Patent under said invention, or resulting from any of said applications thereof, to the Assignee, as the assignee of the entire right, title and interest in and to the same;

AND Assignor hereby represents, warrants and covenants that it has the full right to convey the entire interest herein assigned, that it has not executed and will not execute any instrument or assignment in conflict herewith, and that the rights assigned herein are not otherwise encumbered by any grant, license or right;

AND Assignor further covenants and agrees that Assignor will at any time upon request make, execute and deliver without further compensation, any and all other instruments in writing, including further applications, papers, affidavits, power of attorney, assignments, and other documents, and do all lawful acts and things, which, in the opinion of counsel for said Assignee, its successors and assigns, may in any country be required or necessary more effectively to secure to and vest in said Assignee, its successors and assigns the entire right, title and interest in and to said Invention and Rights hereby sold, assigned, transferred and conveyed, and that Assignor will sign any applications for reissue, division, continuation, continuation-in-part, renewal, substitute or extension of said application for Letters Patent or any resulting Letters Patent;

AND Assignor further covenants and agrees that Assignor will at any time upon request communicate to the Assignee, its successors, assigns or other legal representatives any facts relating to the aforesaid invention known to it, and will testify as to the same in any interference, litigation, mediation, arbitration or other proceeding when requested to do so.

IN WITNESS WHEREOF, said Assignor has hereunto set his hand.

Signature of
Representative for Assignor:



David J. Hudson

Representative's Title:

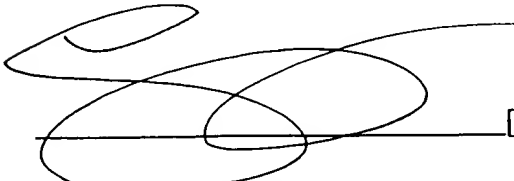
Associate Vice President for Research
and Public Service, University of Virginia

Place of Execution:

Charlottesville, Virginia

COUNTY OF ALBEMARLE /)
CITY OF CHARLOTTESVILLE) SS:
COMMONWEALTH OF VIRGINIA)

On this 29 day of May, 2002, before me, a Notary Public in and for the County or City aforesaid, in the Commonwealth of Virginia, personally appeared David J. Hudson, to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged the same to be of his free act and deed for the uses and purposes therein set forth.



[signature, please print name below]

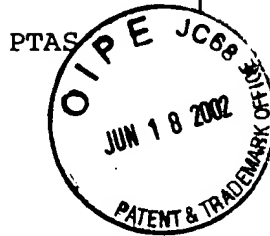
Laura K Matheny, Notary Public, my commission expires on: 7-31-03



Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231

OCTOBER 18, 2001

KENYON & KENYON
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1500 K ST., N.W., SUITE 700
WASHINGTON, D.C. 20005-1257



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/08/2001

REEL/FRAME: 012071/0773
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GRIFFIN, M. PAMELA

DOC DATE: 06/22/2001

ASSIGNOR:

MOORMAN, J. RANDALL

DOC DATE: 06/22/2001

ASSIGNOR:

KOVATCHEV, BORIS P.

DOC DATE: 06/25/2001

ASSIGNEE:

VIRGINIA, UNIVERSITY OF, THE
314 MADISON HALL
CHARLOTTESVILLE, VIRGINIA
22904-
4301

SERIAL NUMBER: 09793653

PATENT NUMBER:

FILING DATE: 02/27/2001

ISSUE DATE:

SERIAL NUMBER: 09770653

PATENT NUMBER:

FILING DATE: 01/29/2001

ISSUE DATE:



OMB No. 0651-0011 (exp. 4/94)

LY

To the Honorable Commissioner

the attached original documents or copy thereof.

1. Name of conveying party(ies):

M. Pamela GRIFFIN, J. Randall MOORMAN, and
Boris P. KOVATCHEVAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Security Agreement☐ Merger☐ Change of Name☐ Other _____

Execution Date: June 22, 2001

2. Name and address of receiving party(ies):

Name: The University of Virginia
Internal Address:
Street Address: 314 Madison Hall
Charlottesville, VA 22904-4301
USAAdditional name(s) & address(es) attached? ☐ Yes ☒ NoCOPY OF PAPERS
ORIGINALLY FILED

4. Application number(s) or patent number(s);

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/793,653

09/770,653

B. Patent No.(s)

Additional numbers attached: ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Teresa Lavenue
Kenyon & Kenyon
1500 K Street, N.W., Suite 700
Washington, D.C. 20005-1257

6. Total number of applications and patents involved:

2

7. Total fee (37 CFR 3.41).....\$40.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

11-0600

(Attach duplicate copy of this page if paying by deposit account)

06/17/2001 DBYRME 00000129 110600 09793653

01 FC:581 60.00 CH

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Teresa Lavenue (Reg. No. 47,737)
Name of Person Signing

Signature

August 8, 2001
Date

Total number of pages comprising cover sheet: -5-

OMB No. 0651-0011 (exp. 4/94)

ASSIGNMENT

WHEREAS, we,

1) M. Pamela GRIFFIN, a U.S. citizen; and

2) J. Randall MOORMAN, a U.S. citizen;

both residing at 2275 Mechum Place, Charlottesville, Virginia 22901, USA ; and

3) Boris P. Kovatchev, a U.S. citizen;

residing at 121 Ridge Drive, Amherst, Virginia 24521, USA

(hereinafter also referred to as "the Assignors"); have invented new and useful improvements in **METHOD AND APPARATUS FOR THE EARLY DIAGNOSIS OF SUBACUTE, POTENTIALLY CATASTROPHIC ILLNESS**, for which we have made application for Letters Patent of the United States, said application having been filed in the United States Patent and Trademark Office on February 27, 2001, Serial Number 09/793,653; described in U.S. Patent Application No. 09/770,653 filed on January 29, 2001; and described in U.S. Patent Application No. 09/271,279, filed on March 17, 1999, and claiming priority to U.S. Provisional Patent Application No. 60/078,319, filed March 17, 1998, entitled "DEVICE TO MAKE THE EARLY DIAGNOSIS OF SUBACUTE, POTENTIALLY CATASTROPHIC ILLNESS;" and

WHEREAS, THE UNIVERSITY OF VIRGINIA, Washington Hall E. Range, Charlottesville, Virginia 22903, (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the application and invention therein described and claimed and any Letters Patent that may be issued upon the application or for the improvements therein contained.

NOW, THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute,

continuation, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance.

5. Bind our heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to

Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this
22 day of June, 2001.


M. Pamela GRIFFIN

WITNESSED BY:

Name

Address

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this
22 day of June, 2001.


Randall MOORMAN

WITNESSED BY:

Name

Address

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this
25 day of June, 2001.

B. Kovachev
Boris P. Kovatchev

WITNESSED BY:

Name

Address

LAZENA MARTIN, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS